

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT  
1300 OAK STREET  
KANSAS CITY, MISSOURI 64106**

**DIVISION 1**

**REX GABBERT, PRESIDING JUDGE  
THOMAS H. NEWTON, JUDGE  
ALOK AHUJA, JUDGE**

**DIVISION 2**

**KAREN KING MITCHELL, PRESIDING JUDGE  
CYNTHIA MARTIN, JUDGE  
GARY D. WITT, JUDGE**

**DIVISION 3**

**VICTOR C. HOWARD, PRESIDING JUDGE  
LISA WHITE HARDWICK, JUDGE  
NEW JUDGE**

**DIVISION 4**

**MARK D. PFEIFFER, CHIEF JUDGE, PRESIDING  
JAMES E. WELSH, JUDGE  
NEW JUDGE**

**ORAL ARGUMENT DOCKET - AUGUST, 2016**

**NOTICE TO COUNSEL**

Enclosed is a copy of the Court's docket scheduling your case for argument. Please review this docket and the following information carefully. Please note the information below for each division:

***DIVISION 1: THIS DIVISION WILL SIT ON AUGUST 4<sup>TH</sup> AND 31<sup>ST</sup>, 2016 WITH DOCKET CALLS AT 9:00 A.M. AND 10:30 A.M.***

***DIVISION 2: THIS DIVISION WILL SIT ON AUGUST 3<sup>rd</sup> and 17<sup>th</sup>, 2016 WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.***

***DIVISION 3: THIS DIVISION WILL SIT ON AUGUST 2<sup>nd</sup> and 16<sup>TH</sup>, 2016, WITH DOCKET CALLS BOTH DAYS AT 9:00 AND 10:30 A.M.***

***DIVISION 4: THIS DIVISION WILL SIT ON AUGUST 18<sup>th</sup>, 2016 , WITH DOCKET CALLS AT 9:00 AND 10:30 A.M.***

If you are not present for the docket call, your case will be submitted on the briefs. If you do not intend to orally argue a docketed case (whether the appellant or respondent), please notify this office immediately of that decision. Any respondent who has not filed a brief will not be permitted oral argument.

**PLEASE NOTE THE FOLLOWING CHANGE IN ARGUMENT TIMES:**

**In most cases, counsel will be allowed a maximum of 10 minutes per side with an additional three minutes for rebuttal by the appellant. In cases designated as “expanded oral argument” preceded and followed by three asterisks, argument will be expanded to 15 minutes per side with an additional five minutes allowed for rebuttal by the appellant.**

The Court may call upon counsel to announce the amount of time they intend to use when the docket is called. Please keep in mind that the judges on the panel will be familiar with the briefs. The Court views oral argument as an opportunity to focus on the points of difficult analysis rather than a forum to verbally rehash the entire brief. Therefore, the Court expects counsel to tailor their requests for time accordingly. Counsel should also remember that they are not required to use the total time reserved.

Cross appeals shall be treated as one case, and in such cases the plaintiff in the trial court shall be entitled to open and close the argument. **If there are multiple appellants or respondents, the parties will ordinarily be expected to divide among themselves the time allowed for an appellant or respondent.**

**Original exhibits shall be deposited with the court on or before the date on which the parties file their opening briefs unless the court grants permission to submit them at a later time. Any exhibits not timely deposited may be considered by the court as immaterial to the issues on appeal. Rule 81.16. Unless deposited exhibits are removed from the custody of the clerk within 30 days after the case is finally decided, upon prior notice to the parties, they may be destroyed or disposed of by the clerk. Rule 81.16(d).**

Opinions are issued each Tuesday morning. Motions for rehearing and/or transfer to the Supreme Court must be filed within fifteen (15) days after the opinion has been issued.

If you have any questions concerning the docket, please contact this office at 816-889-3600. If you have special needs addressed by the Americans with Disabilities Act, please notify this office at least one week prior to the date of oral argument.

Terence G. Lord, Clerk

**DIVISION 2**

**KAREN KING MITCHELL, PRESIDING JUDGE**

**CYNTHIA MARTIN, JUDGE**

**GARY D. WITT, JUDGE**

**AUGUST, 2016**

<p><b>IMPORTANT NOTE</b></p>
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**THIS DIVISION WILL SIT ON AUGUST 3<sup>RD</sup> AND 17<sup>TH</sup>, 2016 WITH  
DOCKET CALLS WILL BE AT 9:00 AND 10:30 A.M.**

<p><b><u>PLEASE NOTE THE TIME OF YOUR ARGUMENT. THIS INFORMATION IS LOCATED AT THE TOP OF THE PAGE ON WHICH YOUR CASE IS LISTED.</u></b></p>
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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS  
Oral Argument Docket**

**3-Aug-2016      09:00**

**DIVISION 2**

**Western District Ct of Appeals**

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**1. WD79128**

BUCHANAN COUNTY CIRCUIT COURT

**SHANE S TAYLOR, RESPONDENT,  
vs**

**OWNERS INSURANCE CO., ET AL., APPELLANT.**

OWNERS INSURANCE COMPANY, Appellant

RUSSELL F WATTERS

JACQUELINE MICHELLE KINDER

FARM BUREAU MUTUAL INSURANCE COMPANY INC., Defendant

KEVIN DALE BROOKS

SHANE STEPHEN TAYLOR, Respondent

STEPHEN WAYNE HOLADAY

JOEL SNYDER HANE

CONTINUED TO  
AUGUST 17,  
2016.

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**2. WD79342**

RAY COUNTY CIRCUIT COURT

**STEPHANIE TRISLER, APPELLANT,  
vs**

**HENRY BERRY, RESPONDENT.**

STEPHANIE TRISLER, Appellant

ABBIE ELIZABETH HESSE ROTHERMICH

HENRY BERRY, Respondent Acting Pro Se...DID NOT FILE A BRIEF AND WAIVES ARGUMENT.

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS  
Oral Argument Docket**

**3-Aug-2016      09:00**

**DIVISION 2**

**Western District Ct of Appeals**

**3. WD79378**

**JACKSON COUNTY CIRCUIT COURT**

**KELSEY ALEXANDER, APPELLANT**

**vs**

**UMB BANK, NA, TRUSTEE OF THE DARTHEA STODDER HARRISON TRUST, ET AL.; JODI LEA  
STODDER, RESPONDENTS**

KELSEY ALEXANDER, Appellant

MIRIAM ELISABETH CHAMP BAILEY

JODI LEA STODDER, Respondent ...DID NOT FILE A BRIEF AND THUS WAIVES

JOEL B LANER      ARGUMENT.

UMB BANK, N.A., Respondent

ANGELA GERMAINE NICHOLS

FREDERICK JOHN MCEWEN, Respondent Acting Pro Se

AUGUSTUS DIZEREGA, Respondent Acting Pro Se

GERE STODDER DIZEREGA, Respondent Acting Pro Se

PAUL DIZEREGA, Respondent Acting Pro Se

JUDITH ANN STODDER BUTLER, Respondent Acting Pro Se

EDWARD DIZEREGA, Respondent Acting Pro Se

ALL PRO SE RESPONDENTS DID NOT  
FILE A BRIEF AND THUS WAIVE  
ARGUMENT.

**3-Aug-2016      10:30      DIVISION 2      Western District Ct of Appeals**

**DENNIS ODOM, SR., APPELLANT,**  
**vs**  
**GLAZER'S DISTRIBUTORS OF MISSOURI, INC. AND DIVISION OF EMPLOYMENT SECURITY,**  
**RESPONDENTS.**

DENNIS ODOM SR, Appellant  
JOHN J AMMANN

STATE OF MISSOURI DIVISION OF EMPLOYMENT SECURITY, Respondent  
NINION S RILEY

GLAZER'S DISTRIBUTORS OF MISSOURI, INC., Respondent --DID NOT FILE A BRIEF AND THUS  
ROBERT GRANT PENNELL WAIVES ARGUMENT

**JAMES BOWMAN, APPELLANT,  
vs  
CENTRAL MISSOURI AVIATION, INC., AND TREASURER OF THE STATE OF MISSOURI -  
CUSTODIAN OF THE SECOND INJURY FUND, RESPONDENTS.**

JAMES BOWMAN, Appellant  
MARVIN TOFLE  
TREASURER OF THE STATE OF MISSOURI-CUSTODIAN 2ND INJURY FUND, Respondent  
ERIN COURTNEY SMITH  
CENTRAL MISSOURI AVIATION, INC., Respondent  
BRADLEY LANE MCCHESENEY

**CITY OF COLUMBIA, APPELLANT,  
vs  
WILLIAM PALMER, RESPONDENT; TREASURER OF THE STATE OF MISSOURI - CUSTODIAN OF  
THE SECOND INJURY FUND, RESPONDENT.**

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**MISSOURI JUDICIARY**  
**WESTERN DISTRICT CT OF APPEALS**  
**Oral Argument Docket**

17-Aug-2016 09:00

DIVISION 2

Western District Ct of Appeals

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1. **WD79198**

CLAY COUNTY CIRCUIT COURT

**AMY LEIGH SAUVAIN, ET AL., APPELLANTS**

**vs**

**DAVID H BOWMAN, JR., DEFENDANT; ACCEPTANCE INDEMNITY INSURANCE COMPANY,  
RESPONDENT.**

AMY LEIGH SAUVAIN, Appellant

MATTHEW BLAKE HEATH

MICHAEL W BLANTON

BONNIE HUGHES, Appellant

MATTHEW BLAKE HEATH

MICHAEL W BLANTON

ERICKA J SAUVAIN, Appellant

MATTHEW BLAKE HEATH

MICHAEL W BLANTON

DAVID H BOWMAN JR, Defendant

ACCEPTANCE INDEMNITY INSURANCE COMPANY, Respondent

SUSAN FORD ROBERTSON

continued to September 7th

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2. **WD79016**

LAFAYETTE COUNTY CIRCUIT COURT

**WD79033**

**SABRINA ZELLER, APPELLANT; KRISTEN KANTER, APPELLANT,**

**vs**

**BRIAN S. BEEBE, JR, ET AL., DEFENDANTS, CAMERON SCAFE, RESPONDENT.**

SABRINA ZELLER, Appellant

MATTHEW JOSEPH O'CONNOR

KRISTEN KANTNER, Appellant

HANS HERBERT VAN ZANTEN

BRIAN S BEEBE JR, Defendant

CAMERON SCAFE, Respondent

JOHN FRANCIS COONEY

KEVIN EDWARD MYERS

**MISSOURI JUDICIARY**  
**WESTERN DISTRICT CT OF APPEALS**  
**Oral Argument Docket**

17-Aug-2016 09:00

DIVISION 2

Western District Ct of Appeals

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3. WD78957

JACKSON COUNTY CIRCUIT COURT

**IN THE MATTER OF LILYANNA DAILEY, BY HER NEXT FRIEND LACEY WATERMAN, AND LACEY  
WATERMAN, INDIVIDUALLY, APPELLANT,  
vs  
JOHN DAILEY, RESPONDENT.**

LACEY WATERMAN, Appellant  
LAURI J LAUGHLAND  
JOHN DAILEY, Respondent Acting Pro Se

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4. WD79128

BUCHANAN COUNTY CIRCUIT COURT

**SHANE S TAYLOR, RESPONDENT,  
vs  
OWNERS INSURANCE CO., ET AL., APPELLANT.**

OWNERS INSURANCE COMPANY, Appellant  
RUSSELL F WATTERS  
JACQUELINE MICHELLE KINDER  
FARM BUREAU MUTUAL INSURANCE COMPANY INC., Defendant  
KEVIN DALE BROOKS  
SHANE STEPHEN TAYLOR, Respondent  
STEPHEN WAYNE HOLADAY  
JOEL SNYDER HANE

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**MISSOURI JUDICIARY  
WESTERN DISTRICT CT OF APPEALS  
Oral Argument Docket**

**17-Aug-2016      10:30**

**DIVISION 2**

**Western District Ct of Appeals**

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**1. WD78648**

LAFAYETTE COUNTY CIRCUIT COURT

**STATE OF MISSOURI, RESPONDENT,  
vs  
SHEENA MARR, APPELLANT.**

SHEENA MARR, Appellant  
AMY MARIE BARTHOLOW  
STATE OF MISSOURI, Respondent  
RICHARD ANTHONY STARNES

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**2. WD78821**

HOWARD COUNTY CIRCUIT COURT

**WAYNE AND TINA COOK, APPELLANTS,  
vs  
BRIAN AND KRISTIE GRIFFITTS, RESPONDENTS.**

TINA COOK, Appellant  
DANIEAL HOWARD MILLER  
WAYNE COOK, Appellant  
DANIEAL HOWARD MILLER  
KRISTIE GRIFFITTS, Respondent  
STEPHEN MICHAEL MURRELL  
BRIAN GRIFFITTS, Respondent  
STEPHEN MICHAEL MURRELL

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**MISSOURI JUDICIARY**  
**WESTERN DISTRICT CT OF APPEALS**  
**Oral Argument Docket**

17-Aug-2016 10:30

DIVISION 2

Western District Ct of Appeals

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3. WD79125 PUBLIC SERVICE COMMISSION  
WD79143,WD79189

**IN THE MATTER OF KANSAS CITY POWER & LIGHT COMPANY'S REQUEST FOR AUTHORITY TO  
IMPLEMENT A GENERAL RATE INCREASE FOR ELECTRIC SERVICE, APPELLANT; OFFICE OF  
PUBLIC COUNSEL, DEFENDANT; MIDWEST ENERGY CONSUMERS' GROUP, APPELLANT,  
vs  
MISSOURI PUBLIC SERVICE COMMISSION, RESPONDENT**

MIDWEST ENERGY CONSUMERS GROUP, Appellant  
DAVID LEE WOODSMALL  
FEDERAL EXECUTIVE AGENCIES, Defendant  
ROBERT EDWARD SAULS  
U.S. DEPARTMENT OF ENERGY, Defendant  
ROBERT EDWARD SAULS  
UNION ELECTRIC COMPANY, Defendant  
JAMES B. LOWERY  
WENDY KAY TATRO  
SIERRA CLUB, Defendant  
HENRY B ROBERTSON  
CONSUMERS COUNCIL OF MISSOURI, Defendant  
JOHN BRUCE COFFMAN  
MISSOURI INDUSTRIAL ENERGY CONSUMERS, Defendant  
EDWARD F DOWNEY  
DIANA MARIE VUYLSTEKE  
BRIGHTERGY, LLC, Defendant  
ANDREW JOSEPH ZELLERS  
OFFICE OF PUBLIC COUNSEL, Defendant  
DUSTIN JAMES ALLISON  
MARC DOUGLAS POSTON  
CITY OF KANSAS CITY, MISSOURI, Defendant  
MARK WOOD COMLEY  
MISSOURI GAS ENERGY, Defendant  
RICK EDWARD ZUCKER  
MISSOURI DIVISION OF ENERGY, Defendant  
ALEXANDER JAMES ANTAL  
IBEW LOCAL UNION 412, Defendant  
MICHAEL ELIAS AMASH  
IBEW LOCAL UNION 1613, Defendant  
MICHAEL ELIAS AMASH  
IBEW LOCAL UNION 1464, Defendant  
MICHAEL ELIAS AMASH  
PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI, Respondent

**MISSOURI JUDICIARY**  
**WESTERN DISTRICT CT OF APPEALS**  
**Oral Argument Docket**

**17-Aug-2016 10:30**

**DIVISION 2**

**Western District Ct of Appeals**

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SHELLEY E BRUEGGEMANN  
JOHN DAVID BORGMEYER  
NATHAN CHARLES WILLIAMS  
JENNIFER LEIGH HEINTZ  
KANSAS CITY POWER & LIGHT COMPANY, Respondent  
KARL ZOBRIST  
ROGER WILLIAM STEINER  
ROBERT JEFFERSON HACK  
JAMES MICHAEL FISCHER  
LISA ANN LITTELL SMITH GILBREATH

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